INTERNATIONAL COUNCIL OF CRUISE LINES

August 8, 2003

Ms. Hetty Richardson
Bureau of Land and Water Quality
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Dear Ms. Richardson:

I am writing today to provide rebuttal to certain comments that have been made in correspondence to State of Maine Vessel Discharge Stakeholders Group and which have been posted on the website. In particular, we would like to provide comment with regard to the statements by Ms. Diane Gould – EPA representative:

Statement: Subject: Re: cruise ship discharges

ICCL Comment: We believe that the subject is vessel discharges in general. It is apparent that this representative has chosen to focus on an industry that represents only 2.3% of the worlds total merchant shipping, approximately 1.8% of commercial shipping calling at U.S. ports and less than .1 % of commercial shipping calling at ports in the State of Maine.

Statement: Treated sewage discharges from MSDs (blackwater) do not attain the level of treatment achieved under landside treatment regulations.

ICCL Comment: Type II MSD require that there not be more than a 200 fecal coliform count per 100 ml and suspended solids of not more than 50 mg/l. All cruise ships are required to have installed an approved Type II MSD.

EPA field studies confirmed industry estimates that wastewater dispersion from a moving cruise ship is significant – dispersion factors of over 200,000:1. (See EPA Report: Cruise Ship Plume Tracking Survey Report, EPA842-R-02-001

www.epa.gov/owow/oceans/, September 2002). This fact combined with the W.E.T. testing in Alaska led that panel to state that discharges from cruise ships will essentially have no impact on the environment.

Irrespective of this, ICCL member operated cruise ships have all adopted the ICCL Industry Standard of not discharging any treated blackwater within 4 miles of land and only when underway at a speed at least 6 knots. This requirement has been placed in each ships' mandatory Safety Management System and is thus audited and verifiable. Non-compliance with this standard may subject a vessel to various enforcement sanctions.

Statement: … discharges are not tested, they are potentially a source of contaminations by enteric bacteria, and viruses. When absorbed by filter-feeding clams… they can become a human health hazard.

ICCL Comment: Landside sewage is treated in essentially the same manner using the same technologies. Additionally, landside systems, the so called combined systems that handle both storm drains and sewer drains, are frequently subject to storm overflows where raw sewage is discharged directly into coastal waters. We understand that this occurs in the United States about 40,000 times a year. ("American Rivers" http://216.161.14.72)

Thus, this is not an issue specific to MSDs. We are unaware of any evidence that the use of required, approved MSDs has resulted in any illnesses or other harm from this "potential" threat. In particular we are unaware of any scientific evidence linking viruses to MSDs. We are unaware of any case in which a shellfish bed has been closed for this reason as a result of cruise ship discharge. We believe that the issue of storm overflows of municipal sewage systems that discharge raw sewage from landside sources is a much greater threat in this regard.

While there may be some general scientific support for these statements, we believe that linking them directly to cruise ship discharges is unfounded given the above discussion of dispersion and the policy of our members not to discharge in coastal waters.

Statement: The 2001 study of treated sewage from 22 cruise ships …

ICCL Comment: While this is true, what is not stated is that the same results were found for the smaller passenger ships and the Alaska Marine Highway state ferries. The cruise industry took immediate steps to correct the situation of improperly operating and maintained MSDs as a result of these findings. The 2002 survey showed entirely different results.

Statement: Prohibition of discharges from MSDs would offer enhanced protection for the waters of Casco Bay from pollution.

ICCL Comment: Given that the cruise ships do not discharge within 4 miles from land and the discharges are diluted by factors of greater than 200,000:1 (EPA field Study results), we believe that the objective evidence is that cruise ships are not a source of pollution of the coastal waters.

Statement: Federal No Discharge Zone … is an important step in protecting the coastal waters from blackwater pollution.

ICCL Comment: While this may be true it should be given serious thought as it may not have the impact desired and given current cruise ship operations, it is unclear to us as to the source of this coastal waters pollution. A recent PEW Oceans Commission Report states that 80% of coastal water pollution is cause by runoff from land sources.

It is our understanding that a Federal No Discharge Zone would apply to all marine traffic not just cruise ships. It also requires that the municipalities located within the zone provide shoreside reception facilities.

Statement: Graywater discharges carry a cocktail of pollutants including food wastes … cleaners, pesticides, medical wastes and even high levels of fecal coliform.

ICCL Comment: Graywater is the drainage from sinks, showers, laundry wash, and the like. It does not include toilets, urinals or medical sinks. Medical sinks are specifically required to be piped into the blackwater system. Medical Bio-hazard waste is required to be handled as such in accordance with applicable rules.

The Alaska testing of graywater and blackwater found no indication of pesticides - initial reports of their presence were proven false.

The testing of discharges against the EPA list of "primary pollutants" (www.epa.gov/waterscience/pc/revcom.pdf) was conducted with interesting results.

> Phthalates were detected at very low levels – the Scientific Panel explains: Plastic types of containers, wrappings … are ubiquitous in their use in modern society. As a consequence, low levels of phthalate acid esters . . . are now routinely detected in various environmental media as a mark of our industrialized society.
>
> Higher than background levels of metals: Some of this was attributed to the level of the metal that was taken onboard as potable water from municipal water systems. The report discusses these in detail.

The Alaska Cruise Ship Waste Disposal Management study report by the Alaska Science Advisory Panel contains a very thorough discussion of all of these issues

and more. This is a peer reviewed scientific report published in November 2002 can be found at www.state.ak.us/dec/press/cruise/documents. This report specifically states: "**the current requirements for large cruise ships – wastewater discharge at a minimum speed of 6 knots and at least 1 nautical mile from shore unless they can meet the strict effluent standards for stationary discharge – is good management practice and should be practiced by all passenger ships.** The report goes on to say: "**The Panel concluded that the high dilution of wastewater caused by a large moving cruise ship would prevent significant accumulation of contaminates in the microlayer . . . this conclusion is further bolstered by the Whole Effluent Toxicity (WET) tests conducted in July 2002.**

We encourage you to read this report in its entirety as it is the result of a multi-year scientific study and presents a different picture than presented by Ms. Gould.

Statement: Unregulated Discharges of Oily bilge water . . .

ICCL Comment: Bilgewater discharge is regulated by international regulation by the Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78) and by United States Coast Guard Regulations found in 33 CFR Part 151. Bilge water discharges may not contain more than 15ppm of oil and a ship must be underway and actually moving before any bilgewater discharge may be conducted. The requirement is applicable to U.S. coastwise ships as well as non-U.S. flag vessels operating in U.S. navigable waters.

Statement: Ballast Water …disease-causing pathogens. While this may be true in some instances, to connect this statement with cruise ships is a real reach especially in the Northeast and given cruise ship ballasting operations. While there have been one or two instances of pathogens being found in ballast water in ships calling in U.S. ports these ships were bulk carriers that ballasted in contaminated tropical harbors.

Additionally it is our understanding that ICCL member cruise ships calling at Maine ports to not conduct ballast discharge operations as they do not take on fuel in these ports of call. These ships may take on ocean water while underway off shore but taking on ballast water poses no threat to Maine ports.

Statement: State discharge regulations in Alaska have been difficult to enforce, suggesting that a plan for compliance should be addressed.

ICCL Comment: The Commissioner of the Alaska DEC stated at the SeaTrade Cruise Industry Conference that the cruise industry operating in Alaska "has achieved general compliance with the toughest laws in the country."

We appreciate the opportunity to participate in the Stakeholders Working group and to provide these comments which we hope will add to the discussion, clarify some points and provide further insight into cruise ship operations. We would appreciate having this correspondence posted at the website.

Respectfully,

T. E. Thompson
Executive Vice President